

**REMARKS**

The current Amendment is being filed together with an RCE. This Amendment is in response to the Final Office Action dated December 16, 2008, which rejected all pending claims, claims 1-16. New claims 17-23, which depend directly or indirectly from independent claim 1, have been added. Accordingly, claims 1-23 are pending and allowable for the reasons provided below.

On April 16, 2009, Applicant filed a response to the Final Office Action that amended certain pending claims. In response, the Examiner issued an Advisory Action that did not enter Applicant's amendments as being after final and raising new issues. Applicant's present amendment includes the amendments in the Applicant's un-entered response and makes further amendments to the claims as discussed below. In the Advisory Action, the Examiner maintained its earlier rejections but noted that the proposed amendments to claims 1 and 7 were sufficiently distinguishable over the prior art of record as to require a further search. Following the Advisory Action, on June 2, 2009, Applicant's undersigned counsel and the Examiner conducted a telephonic interview.

Applicant's undersigned counsel thanks the Examiner for the Interview as summarized in the Examiner's June 9, 2009, Interview Summary. Applicant's counsel generally agrees with the Interview Summary and supplements the summary by stating that Applicant's counsel and the Examiner discussed the cited prior art and its applicability to the pending claims. In particular, Applicant's counsel and the Examiner discussed Mizuta and Soini and whether Soini or Mizuta offered any motivation to combine those two references in rejecting the claims. Applicant's counsel and the Examiner did not reach agreement on the question of motivation to combine. Applicant continues to believe that there is no motivation to combine the features in

the two screen device disclosed in Soini with the single screen device disclosed in Mizuta. In short, Applicant respectfully submits that the prior art does not render the pending claims obvious and incorporates by reference in this amendment Applicant's remarks as set forth in Applicant's un-entered amendment after final.

During the Interview, Applicant's counsel and the Examiner further discussed the structural differences between the device as disclosed in Applicant's specification and the cited prior art. In that regard, the Examiner noted that the cited prior art did not disclose or suggest a portable terminal of the type as claimed, a portable terminal configured to have a visible display section in the open and closed states, having an auxiliary operation section disposed on a side of the portable terminal. By this Amendment and to advance prosecution of this application, Applicants have amended claims 1, 7 and 15 to claim this undisclosed feature.

Applicant has also added new dependent claims 17-23, which depend from amended claim 1. All new dependent claims are supported by the specification as filed and generally relate to the following advantages:

- According to new claim 17, when the portable terminal unit is in an open state, it is possible to prevent the user from error-operation. And, when the portable terminal unit is in a closed state, it is easy for the user to operate the portable terminal while using or holding the portable terminal unit.
- According to new claim 18, the auxiliary operation section is not an obstacle to opening and closing the portable terminal unit.

- According to claim 19, the auxiliary operation section is near the connecting unit, requiring, for example, less wire to connect to the auxiliary operation section.
- According to new claim 20, the operability of the portable terminal unit is improved.
- According to the new claim 21, the operability of the portable terminal is improved due to the multi-function lever switch.
- According to new claims 22 and 23, the location of the auxiliary operation section permits easy use of the portable terminal unit with inadvertently operating auxiliary operation section.

All dependent claims, including newly added claims, are allowable for the same reasons that the underlying independent claims are allowable. Applicant further notes that the counterpart Japanese patent application has been granted.

For the reasons set forth above, Applicant respectfully submits that this patent application, as amended, is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

The Examiner is urged to telephone Applicant's undersigned counsel at the number noted below if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is required, Applicant petitions for that extension of time required to make this response timely.

Kindly charge any additional fee, including extension fees, or credit any surplus,  
to Deposit Account No. 50-0675, Order No. 848075-0059.

Respectfully submitted,

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